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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BRANDON JACK and JEAN ALDA, for
themselves, as private attorneys general, and/or
on behalf of all others similarly situated,

Plaintiffs,

vs.

RING LLC,

Defendant.

Case No. 4:21-cv-00544-HSG

**STIPULATION AND ORDER (AS
MODIFIED) SETTING BRIEFING
SCHEDULE ON RESPONSE TO
COMPLAINT AND POSTPONING RULE
(26)F CONFERENCE AND INITIAL CASE
MANAGEMENT CONFERENCE**

***[Declaration of James H. Moon Filed
Concurrently]***

Compl. Filed: November 19, 2020

Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiffs Brandon Jack and Jean Alda (“Plaintiffs”) and Defendant Ring LLC (“Defendant”) hereby stipulate as follows.

WHEREAS, this action was removed to this Court from the Superior Court of the State of California for the County of San Francisco on January 22, 2021 (ECF No. 1);

WHEREAS, Plaintiffs filed a motion to remand the action to the Superior Court on February 9, 2021 (ECF No. 16);

WHEREAS, Defendant anticipates filing a motion in response to the Complaint, e.g., under Federal Rule of Civil Procedure 12(b) (the “Motion”) and its current deadline is February 12, 2021;

WHEREAS, the parties have met and conferred and believe it is in the best interest of the parties and the court to have Defendant’s anticipated Motion be deferred until the court rules on the pending motion to remand in the interest of saving the parties’ and court’s time and resources since the motion to remand is a threshold issue to determine if this Court has proper jurisdiction of this matter;

WHEREAS, the parties met and conferred and believe it is appropriate that the Rule 26(f) conference and report as well as the Initial Case Management Conference in this matter be postponed until after the court decides Plaintiffs’ pending motion to remand;

WHEREAS, the following briefing schedule will provide for complete briefing of Defendant’s anticipated Motion expeditiously after a determination on the threshold jurisdictional issue without delaying any deadlines that have been fixed by the Court; and

WHEREAS, there has been no prior request for any continuances in this action except the January 25, 2021 stipulation to extend time for Defendant to respond to the complaint until February 12, 2021 (ECF No. 3);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties that:

1. The Defendant’s Motion to respond to the Complaint, if any, shall be filed within 14 days of the Court’s decision denying Plaintiffs’ motion to remand;

1 2. The Plaintiffs' opposition brief, if any, shall be filed within 14 days of the filing of
2 Defendant's Motion;

3 3. The Defendant's reply brief, if any, shall be filed within 10 days of the filing of
4 Plaintiffs' opposition brief;

5 4. The hearing on Defendant's Motion shall be set by the Court; and

6 5. The Rule 26(f) conference and report as well as the Initial Case Management
7 Conference in this matter shall be postponed until after the Court decides Plaintiffs' pending
8 motion to remand.

9
10
11 Dated: February 11, 2021

DAVIS WRIGHT TREMAINE LLP

12 By: /s/ James H. Moon
13 James H. Moon

14 *Attorneys for Defendant Ring LLC*

15 Dated: February 11, 2021

HATTIS & LUKACS

16 By: /s/ Daniel M. Hattis
17 Daniel M. Hattis

18 *Attorneys for Plaintiffs*
19 *Brandon Jack and Jean Alda*

ORDER

PURSUANT TO STIPULATION, and good cause appearing therefrom, the following schedule is ordered for Defendant's response to the Complaint (collectively, the "Motion"):

1. The Defendant's Motion, if any, shall be filed within 14 days of the Court's decision denying Plaintiffs' motion to remand;

2. The Plaintiffs' opposition brief, if any, shall be filed within 14 days of the filing of Defendant's Motion;

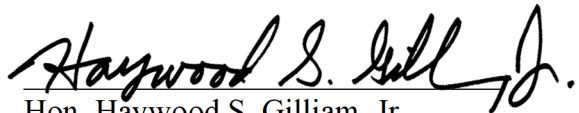
3. The Defendant's reply brief, if any, shall be filed within 10 days of the filing of Plaintiffs' opposition brief;

4. The hearing on the Motion shall be noticed and set by counsel at that time the motion is filed; and

5. The Rule 26(f) conference and report as well as the Initial Case Management Conference in this matter shall be postponed until after the court decides the Plaintiffs' pending motion to remand

IT IS SO ORDERED.

Dated: February 12, 2021


Hon. Haywood S. Gilliam, Jr.
United States District Judge